



Our ref: DOC19/877923-11

Your ref: SSD 10114

Louise Starkey
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Regional Assessments
Department of Planning Industry and Environment
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Dear Ms Starkey

Biodiversity and Conservation Division Review of Environmental Impact Statement – Mixed Use Development 26-32 Mann Street Gosford (SSD 10114)

I refer to your correspondence dated 8 October 2019 to the Biodiversity and Conservation Division (BCD) of the Department of Planning Industry and Environment, inviting comments on the Mixed Use Development at 26-32 Mann Street Gosford (SSD 10114).

BCD has reviewed the Environmental Impact Statement, including relevant appendices, annexures, attachments and parts of the documents titled '*Environmental Impact Statement, Central Coast Quarter, 26 Mann Street Gosford*' (prepared by Urbis and dated September 2019), in relation to impacts on biodiversity, flooding, coastal management and Aboriginal cultural heritage. BCD has no coastal management comments.

BCD's recommendations are provided in **Attachment A** and detailed comments are provided in **Attachment B**. If you require any further information regarding this matter, please contact Vanessa Owen, Senior Regional Biodiversity Conservation Officer, on 4927 3116 or via email at rog.hcc@environment.nsw.gov.au

Yours sincerely

NICOLE DAVIS
A/ Senior Team Leader Planning
Hunter Central Coast Branch
Biodiversity and Conservation Division
30 October 2019

Enclosure: Attachments A and B

BCD's recommendations

Mixed Use Development 26-32 Mann Street Gosford– Environmental Impact Statement

1. BCD recommends the Biodiversity Assessment Method credit calculator report is included in the Biodiversity Development Assessment Report.
2. BCD recommends that the basement carpark flood gate is appropriately designed and maintained.
3. BCD recommends that the full process of Aboriginal community consultation be undertaken and completed in the project area with opportunity provided to the Registered Aboriginal Parties to participate in the Aboriginal cultural heritage assessment.
4. BCD recommends that a full and complete Aboriginal Cultural Heritage Assessment Report be prepared documenting the Aboriginal community consultation process and Aboriginal cultural values of the project area.

BCD's detailed comments

Mixed Use Development 26-32 Mann Street Gosford– Environmental Impact Statement

Biodiversity

1. Biodiversity offset credit calculations should be included in the Biodiversity Development Assessment Report

Appendix 10 of the Biodiversity Assessment Method (BAM) lists the requirements for Biodiversity Development Assessment Reports (BDARs). Section 3 of the submitted BDAR (prepared by Niche and dated 29 August 2019) outlines the results of the BAM credit calculator and associated ecosystem credit requirements, however the BAM credit calculator report is not provided. The reported ecosystem credit requirements appear to be correct, however in accordance with Appendix 10 of the BAM, the BAM credit calculator report should be included in the BDAR.

Recommendation 1

BCD recommends the Biodiversity Assessment Method credit calculator report is included in the Biodiversity Development Assessment Report.

Flooding and flood risk

2. The flood gate proposed to protect the basement carpark has residual risks that need to be managed

The underground carpark will rely on a flood gate to prevent inundation by stormwater, as setting the entrance crest level at the flood planning level cannot be achieved. To ensure all the flood gates adequately protect the car park, BCD recommends that the gate should be:

- Operated automatically
- Periodically inspected and maintained
- Capable of operating in the event of a mains supply failure.

Recommendation 2

BCD recommends that the basement carpark flood gate is appropriately designed and maintained.

Aboriginal cultural heritage

3. Aboriginal community consultation requirements for the project area must be fulfilled

Aboriginal community consultation requirements have not yet been met. BCD understand that the proponent has commenced Stage 1 Aboriginal community consultation and that further consultation with the Registered Aboriginal Parties is ongoing as per the *Aboriginal Cultural Consultation Requirements for Proponents* (DECCW, 2010).

Recommendation 3

BCD recommends that full community consultation process requirements be completed and input from Registered Aboriginal Parties be documented in accordance with the *Aboriginal Cultural Consultation Requirements for Proponents* (DECCW, 2010).

4. An Aboriginal Cultural Heritage Assessment Report must be prepared

An Aboriginal Cultural Heritage Assessment Report (ACHAR) is required, documenting the Aboriginal cultural values for the project area. BCD has reviewed the Interim Aboriginal Archaeological Report prepared by Archaeological Management & Consulting Group (AMAC) and Streat Archaeological Services (August 2019) and recommends a full and complete ACHAR be prepared in accordance with the Planning Secretary's Environmental Assessment Requirements.

Recommendation 4

BCD recommends that an Aboriginal Cultural Heritage Assessment Report be prepared in accordance with the *Guide to investigating, assessing and reporting on Aboriginal cultural heritage in NSW* (OEH, 2011).